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1651  
Dkt. 59469/JPW/AJM/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert H. DeBellis and Bernard F. Erlanger

Serial No.: 09/828,413 Examiner: S. Saucier

Filed: April 6, 2001 Art Unit: 1651

For: METHODS OF TREATING SICKLE CELL DISEASE

1185 Avenue of the Americas  
New York, New York 10036  
August 12, 2004

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL FROM THE EXAMINER'S DECISION  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action mailed February 12, 2004 finally rejecting the pending claims 1, 10 and 13-19 in connection with the above-identified application.

Applicants are concurrently filing a Petition For An Additional Third-Month Extension of Time. With an additional third-month extension of time, a response to the February 12, 2004 Final Office Action is due August 12, 2004. Accordingly, this Notice of Appeal is being timely filed.

Applicants have previously established small entity status and such status is still applicable. The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(b) for a small entity is ONE HUNDRED SIXTY-FIVE DOLLARS (\$165.00) and a check for this amount is enclosed.

08/17/2004 HALI11 00000039 09828413

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No fee, other than the enclosed \$165.00 fee for filing a Notice of Appeal, is deemed necessary. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Alan J. Morrison Reg. No. 37,399	Date <u>8/12/09</u>

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